GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of Preventive detention made by the Commissioner of Police and Addl.District Magistrate, NTR Police Commissionerate,Vijayawada, in respect of Smt. Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, Near Tupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District, Andhra Pradesh State– Confirmed Orders – Issued.

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GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.1676 **Dated:21.08.2023**

Read the following:-

1. From the Commissioner of Police and Addl.District Magistrate, NTR Police Commissionerate, Vijayawada Proceedings No.MC.No. 23/M1/PD-Act/2023, Dt:23.06.2023.
2. G.O.Rt.No.1284, G.A (SC.I) Department, Dt.29.06.2023.
3. Govt. Letter No.2124841*/GAD01-LOOACTS (PDAA)/ 103/2023-SC.I/A3-2* Dt:03.07.2023.
4. Govt. Memo No:2127329-GAD01-LOOACTS (PDAA)/109/SC.I/A3/2023-3 Dt:03.08.2023.
5. From the Advisory Board Report Dated:08.08.2023.

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ORDER:

WHEREAS, the Commissioner of Police and Addl.District Magistrate, NTR Police Commissionerate,Vijayawada, has made an order of detention, vide reference first read above under Section-3(1) & (2) r/w Section 2(f) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Smt. Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, NearTupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District, Andhra Pradesh State, as she is not having license or holder of any permit to deal in any kind of Ganja or any other prohibited Narcotic Drugs and Psychotropic Substances under the provisions of the Narcotic Drugs and Psychotropic Substances Act-1985. There is a prohibition on cultivation / transportation / Sale/ Purchase / Possession / Storage of Ganja in any form. As such the sale of Ganja is an offence. She is repeatedly indulging in illegal possession and sale of Ganja which causes widespread danger to the public health and defined as "Drug Offender" under Section 2(f) of the Act No.1 of 1986. The Commissioner of Police, NTR Police Commissionerate, Vijayawada having felt that she became a source of potential danger to the public, as her activities are prejudicial to the maintenance of public order and therefore to prevent her from further indulging in such activities.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members of the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. The case was reviewed by the Advisory Board on 08.08.2023 through video conference. After having heard the Investigating Officer and the detenue, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has reported unanimously that in its opinion, "there is sufficient cause for the detention of the detenue, Smt. Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, Near Tupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District,Andhra Pradesh State.

(P.T.O)

4. AND WHEREAS, the Government on careful examination of the entire record, it is observed that the detenue, Smt. Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, Near Tupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District,Andhra Pradesh State is found to be involved in as many as in twelve (12) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that she is a habitual offender and her activities are habitual in nature and prejudicial to the maintenance of public order, which are registered under various provisions U/s 20(b)(ii)(A)(B) r/w 8(C) of NDPS Act, 1985. The details shows that she is a habitual offender and causing disturbance to public peace and tranquillity classified as per law as a habitual offender involving herself in a series of offences of similar and identical model in a very closer proximity of time. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of Drug Offender U/s 2(f) as defined in Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb her illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent her from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Commissioner of Police and Addl. District Magistrate, NTR Police Commissionerate, Vijayawada, in the reference 1st read above, as approved in the G.O.2nd read above are hereby confirmed by the Government. The detention of Smt. Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, Near Tupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District, Andhra Pradesh State, shall be for a period of 12 (Twelve) months from the date of her detention, i.e. 24.06.2023 under Section 13 r/w Section 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To

Smt.Nelaturi Durga @ Palakka @ Pulakka @ Poolammi, Aged 34 years, W/o Koteswara Rao (late) R/o D.No.77-35-17, Near Tupakula Rama Krishna Park, Santhi Nagar, Payakapuram, Vijayawada, NTR District,Andhra Pradesh State through the Superintendent, Special Prison for Women, Rajamahendravaram.

The Superintendent, Special Prison for Women, Rajamahendravaram (She should serve the Order on the detenue immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenue and report compliance to the Government forthwith)

The Commissioner of Police, NTR Police Commissionerate, Vijayawada.

Copy to:

The Director General of Police, A.P., Mangalagiri, Guntur District.
The Director General of Prisons and Correctional Services, A.P., Vijayawada.
The Director General of Police, Intelligence, A.P., Vijayawada.
The Spl. G.P., Attached to Learned Advocate General, A.P. High Court, Nelapadu, Amaravathi, Guntur District.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)